

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: KAZUHIRO SUGAWARA ET AL.

Application No.: 09/888,547

For: IMAGE COMMUNICATION APPARATUS, IMAGE COMMUNICATION METHOD, AND
MEMORY MEDIUM

Filed: June 26, 2001

Art Unit: 2441

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated November 4, 2008, of the Primary Examiner finally rejecting claims 44-49, 62, 63, 68, and 69.

The items checked below are appropriate.

1. ☐ Applicants hereby petition for a ____-month extension of time to respond to the final rejection. The \$____ extension fee under 37 C.F.R. §1.17, is being filed concurrently herewith.
2. ☐ A Petition for an additional ____ month extension of time to take further action, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.
3. ☒ Fee \$540.00
☐ Fee \$270.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
☒ Being paid concurrently herewith.
☐ Not required (fee paid in prior appeal)
☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Leonard P. Diana
Attorney for Applicants
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

Form #67

FCHS_WS 2816357v1